IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

FRIDAY, THE 5TH JANUARY 2007 / 15TH PAUSHA 1928

WP(C).No. 32633 of 2006(I)

PETITIONERS:

1. KARUNAKARAN N., SUDHABHAVAN,
PERUMPUZHA P.O., KUNDARA.

2. N.VASUDEVAN, MADANVILAPUTHENVEEDU,
PERUMPUZHA P.O., KUNDARA, KOLLAM.

3. REMADEVI AMMA,LEKSHMI MANGALAM,
PERUMPUZHA P.O., KUNDARA, KOLLAM.

4. SADANANDAN, ELLUVILAKIZHAKKATHIL VEEDU,
PERUMPUZHA P.O., KUNDARA, KOLLAM.

5. SARASAMMA, D/O. GOPALAN,
KAYILAZHIKATHU VEEDU, PERUMPUZHA P.O.,
KUNDARA, KOLLAM.

BY ADV. SRI.PRATHEESH.P

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY THE
PRINCIPAL SECRETARY, FINANCE DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DISTRICT COLLECTOR, COLLECTORATE, KOLLAM.

3. THE SPECIAL TAHSILDAR, (L.A.),
K.I.P.VII, KOLLAM, KOTTIYAM, KOLLAM.

BY GOVERNMENT PLEADER SRI.L.G. SURESH BABU.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 05/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS' EXHIBITS:

EXT.P1:	TRUE COPY OF THE JUDGMENT OF THE ADDITIONAL SUB COURT, KOLLAM DATED 24.2.2005 IN L.A.R.NO.566/88.
EXT.P2(a)	TRUE COPY OF APPLICATION FILED BY THE FIRST PETITIONER UNDER SECTION 28a OF THE LAND ACQUISITION ACT.
EXT.P2(b)	TRUE COPY OF APPLICATION FILED BY THE SECOND PETITIONER UNDER SECTION 28A OF THE LAND ACQUISITION ACT.
EXT.P2(c)	TRUE COPY OF APPLICATION FILED BY THE THIRD PETITIONER UNDER SECTION 28A OF THE LAND ACQUISITION ACT.
EXT.P2(d)	TRUE COPY OF APPLICATION FILED BY THE FOURTH PETITIONER UNDER SECTION 28A OF THE LAND ACQUISITION ACT.
EXT.P2(e)	TRUE COPY OF APPLICATION FILED BY THE FIFTH PETITIONER UNDER SECTION 28A OF THE LAND ACQUISITION ACT.

RESPONDENTS' EXHIBITS: NIL

//TRUE COPY//

ahz/

K.T. SANKARAN, J.

W.P.(C).NO. 32633 OF 2006

Dated this the 5th day of January,2007

JUDGMENT

Lands belonging to the petitioners were acquired for the purpose of Kottiyam Distributory of Kallada Irrigation Project. The petitioners did not file an application under Section 18 of the Land Acquisition Act. However, when compensation was enhanced in L.A.R.No.566 of 1988, the petitioners submitted Exts.P2(a) to P2(e) applications under Section 28A of the Land Acquisition Act. It is stated that those applications are pending. The prayer in the Writ Petition is to issue a writ of mandamus commanding the respondents to consider and dispose of Exts.P2 (a) to P2(e) applications.

2. Learned Government Pleader, on instructions, submits that Exts.P2(a) to P2(e)

applications are pending disposal. It is submitted that hundreds of applications under Section 28A are pending and those applications will be disposed of in accordance with priority. Accordingly, there will be a direction to the third respondent to dispose of Exts.P2(a) to P2(e) applications in accordance with priority, however, within a period of three months.

The Writ Petition is disposed of as above.

(K.T.SANKARAN)
Judge

ahz/

K.T.SANKARAN, J.

CRL.M.C.NO. OF

O R D E R

September, 2006